

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
STATE FARM MUTUAL AUTOMOBILE :  
INSURANCE COMPANY, :

Plaintiff, :

v. :

**ORDER**NICOLE ANN NOAKES and CARTER :  
CHARTER, :

25-CV-00257 (PMH)

Defendants. :  
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PHILIP M. HALPERN, United States District Judge:

On March 28, 2025, State Farm Mutual Automobile Insurance Company (“Plaintiff”) received a Clerk’s Certificate of Default against Nicole Ann Noakes and Carter Charter (“Defendants”). Subsequently, on May 1, 2025, Plaintiff filed a Motion for entry of a Consent Judgment, stylized as a Motion for Default (“Motion for Consent Judgment”) (Doc. 19), and a Proposed Order to Show Cause Without Emergency Relief (“Proposed OTSC”), with supporting documentation (Docs. 20-22, 24). Both the Motion for Consent Judgment and the Proposed OTSC are deficient as currently filed.

As to the Motion for Consent Judgment, Plaintiff has represented that Defendant Noakes has not consented to executing the stipulation (*see* Doc. 19-1 ¶ 8), nor has Plaintiff executed the stipulation, rendering the attached proposed Stipulation (Doc. 19-2) and overarching Motion for Consent Judgment deficient. Accordingly, Plaintiff’s Motion for Consent Judgment is denied without prejudice, and Plaintiff is directed to file, by **May 6, 2025**, for the Court’s consideration, a proposed Stipulation of Judgment by Consent, signed by the appropriate parties only.

The Court declines to sign the Proposed OTSC, as Plaintiff has failed to file a corresponding Proposed Default Judgment, “using the ECF Filing Event found under Proposed Orders,” in violation of Rule 4(B) and Attachment A of the Court’s Individual Practices. Plaintiff

is directed to comply with this Court's Individual Practices, and by May 6, 2025, supplement the Proposed OTSC by filing a Proposed Default Judgment as to only Defendant Noakes.

For the foregoing reasons, Plaintiff's Motion for Consent Judgment is DENIED.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 19.

**SO ORDERED:**

Dated: White Plains, New York  
May 5, 2025



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Hon. Philip M. Halpern  
United States District Judge